

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAMIEN HESS,
Defendant.

No. 1:13-cr-10275-PBS-1

DEFENDANT'S MOTION TO CONTINUE SENTENCING

The defendant, Damien Hess ("Hess"), by and through undersigned counsel, respectfully moves this Honorable Court to continue sentencing, which is currently scheduled for February 27, 2015, to April 7 or 8, 2015, or any date that first full week of April, that is most convenient to this Court and the government. As grounds for the foregoing request, and as will be explained in greater detail below, undersigned counsel require additional time to properly review, analyze and research certain issues relating to sentencing, raise appropriate objections to the Presentence Report, file a substitute sentencing memorandum and, possibly, explore the viability of a potential motion to vacate Hess's plea of guilty. *Moreover, and notwithstanding this request, undersigned counsel and the defendant will be present at 2:00 PM this Friday, February 27, as currently scheduled.*

BACKGROUND AND PROCEDURAL HISTORY

On September 25, 2013, Hess, along with co-defendant Lucas Ford, was indicted on one (1) count of conspiracy and seven (7) counts of wire fraud. *See* Dkt. # 3. The indictment alleges a scheme to defraud individuals and businesses seeking financing and loans which resulted in an